



PUBLIC NOTICE

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DA 05-1643

Released: June 9, 2005

NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT

WC Docket No. 05-187

The application listed in this notice has been removed from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.¹ Section 63.03(c)(5) of the Commission's rules provides that at any time after an application is filed, the Commission, acting through the Chief of the Wireline Competition Bureau, may notify an applicant that its application is being removed from streamlined processing, where the Commission "determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest."²

Domestic Section 214 Application Filed for Acquisition of Assets, and Transfer of Control of Universal Access, Inc., Debtor-in-Possession, to Vanco Direct USA, LLC, WC Docket No. 05-187, DA 05-1372 (rel. May 18, 2005)

On May 18, 2005, the Commission released a public notice accepting for streamlined processing a domestic section 214 application involving the acquisition of assets and transfer of control of the domestic 214 authorization of Universal Access, Inc., Debtor-in-Possession, to Vanco Direct USA, LLC (collectively, the "Applicants").³ On June 1, 2005, the United States Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the United States Department of Homeland Security (collectively, the "Agencies"), filed with the Commission a request to defer action on this application until such time as the Agencies (i) notify the Commission that the potential national security, law enforcement, and public safety

¹ 47 C.F.R. § 63.03; *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, 17 FCC Rcd 5517 (2002) (*Streamlining Order*).

² See 47 C.F.R. § 63.03(c)(1)(v).

³ *Domestic Section 214 Application Filed for Acquisition of Assets and Transfer of Control of Universal Access, Inc., Debtor-in-Possession, to Vanco Direct, LLC*, WC 05-187, Public Notice, DA 05-1372 (rel. May 18, 2005).

issues raised by the application have or have not been resolved, and (ii) on that basis, request appropriate action by the Commission.⁴

This application is being removed from streamlined review in response to the request filed by the Agencies. Final action on this application should be expected once the Commission has received notification from the Agencies that the evaluation has been completed, but in no event later than 180 days from public notice that the applications were accepted for filing.⁵ The Agencies indicate that they will act promptly upon receipt of the information requested from the Applicants.

For further information, please contact Tracey Wilson-Parker, at (202) 418-1394 or Erin Boone, Competition Policy Division, Wireline Competition Bureau at (202) 418-0064.

⁴ See Domestic Section 214 Application Filed for Acquisition of Assets and Transfer of Control of Universal Access, Inc., Debtor-in-Possession, to Vanco Direct, USA, LLC, WC Docket No. 05-187, Request to Defer (filed Jun. 1, 2005).

⁵ See 47 C.F.R. § 63.03(c)(2).